

4/A
4-25-01
M.L.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Box: Patent Applications

King-Ming LO et al. :

Serial No.: Not Yet Issued :

Filed: Herewith :

For: ERYTHROPOIETIN FORMS WITH IMPROVED PROPERTIES

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Washington, D. C. 20231

Sir:

Prior to examination of the above-identified application, please ~~amend~~ the application as follows:

IN THE SPECIFICATION:

Page 1, before line 1, please insert:

This application claims the benefit of the filing date of U.S. Provisional Application Serial No. 60/164,855 filed November 12, 1999.

IN THE CLAIMS:

Claim 10, line 1: Delete "any of the claims 1-9" and insert -- claim 1 -- therefor.

12. (Amended) A fusion protein [of claim 10 or 11] wherein at least one of the cysteine residues of the EPO molecule or EPO_m molecule is engineered or a non-fused EPO of claim 1, wherein the EPO includes at least one of the following amino acid variations: position 29 is not Cys, position 33 is not Cys, position 88 is Cys, position 139 is Cys.

Claim 13, line 1: Delete "any of the claims 10-12" and insert -- claim 10 -- therefor.

Claim 14, line 1: Delete "or 13".

Claim 15, line 1: Delete "any of the claims 1-14" and insert -- claim 1 -- therefor.

Claim 16, line 1: Delete "any of the claims 1-15" and insert -- claim 1 -- therefor.

Claim 17, line 1: Delete "any of the claims 1-16" and insert -- claim 1 -- therefor.

Claim 19, line 1: Delete "claims 1-18" and insert -- claim 1 -- therefor.

MERCK-2056